

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE: TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

) 03 MDL No. 1570 (RCC)

) **NOTICE OF MOTION FOR**
) **ADMISSION PRO HAC VICE**

) This document relates to:
) Civil Action No. 1:03-cv-9848 (RCC)
) Civil Action No. 1:03-cv-9849 (RCC)
)

PLEASE TAKE NOTICE that pursuant to Rule 1.3(c) of the Local Rules of this Court, and on the basis of the affidavits with exhibits attached hereto, the undersigned will move this Court, before the Honorable Richard C. Casey, U.S.D.J., at the United States District Court, Southern District of New York, 500 Pearl Street, New York, New

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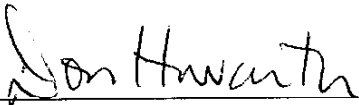
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York, 10007, at a date and time to be determined by the Court, for an order admitting Don Howarth, Suzelle M. Smith, and Robert D. Brain *pro hac vice* as counsel for Plaintiffs in the above-referenced cases.

Dated: March 17, 2004
Los Angeles, California

Respectfully submitted,


Don Howarth, Esq. (DH 0930)

HOWARTH & SMITH
DON HOWARTH (DH 0930)
SUZELLE M. SMITH (SMS 4865)
ROBERT D. BRAIN (RDB 3792)
800 Wilshire Blvd., Suite 750
Los Angeles, California 90017
(213) 955-9400 Phone
(213) 622-0791 Fax

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

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03 MDL No. 1570 (RCC)

AFFIDAVIT OF DON HOWARTH

This document relates to:
Civil Action No. 1:03-cv-9848 (RCC)
Civil Action No. 1:03-cv-9849 (RCC)

I, DON HOWARTH, under penalty of perjury, submit this affidavit and state under oath:

1. I am a partner at the firm of Howarth & Smith, attorneys for Plaintiffs in the above-referenced matters. I submit this Affidavit in support of this motion to be admitted *pro hac vice* to practice before this Court and represent Plaintiffs in these matters.

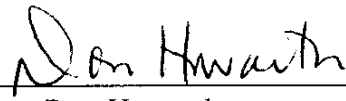
2. I am a member in good standing before the Bar of the State of California, having being admitted to practice before that bar on December 14, 1972. A certificate of standing from that Bar is attached hereto.

3. I am not presently nor have I ever been suspended, disbarred, or otherwise disciplined in any of the courts or jurisdictions where I have been admitted to practice.

4. I hereby consent to be subject to the jurisdiction and rules of the state of New York governing professional conduct.

5. I understand that I am charged with knowing and complying with all applicable local rules.

Date: March 17, 2004



Don Howarth



THE
STATE BAR
OF CALIFORNIA

180 HOWARD STREET
SAN FRANCISCO, CALIFORNIA 94105-1639
TELEPHONE (415) 538-2000

March 12, 2004

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, DON HOWARTH was admitted to the practice of law in this state by the Supreme Court of California on December 14, 1972; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Waffa N. Salfiti
Senior Administrative Supervisor
Office of Certification

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

03 MDL No. 1570 (RCC)

**AFFIDAVIT OF SUZELLE M.
SMITH**

This document relates to:
Civil Action No. 1:03-cv-9848 (RCC)
Civil Action No. 1:03-cv-9849 (RCC)

I, SUZELLE M.SMITH, under penalty of perjury, submit this affidavit and state under oath:

1. I am a partner at the firm of Howarth & Smith, attorneys for Plaintiffs in the above-referenced matters. I submit this Affidavit in support of this motion to be admitted *pro hac vice* to practice before this Court and represent Plaintiffs in these matters.

2. I am a member in good standing before the Bar of the State of California, having being admitted to practice before that bar on June 29, 1984. I am also a member in good standing before the Bar of the District of Columbia, having been admitted to practice before that bar on January 3, 1984. In addition, I am a member in good standing of the State of Washington, having been admitted to practice before that bar on November 12, 1985. Certificates of standing issued by these Bars are attached hereto.

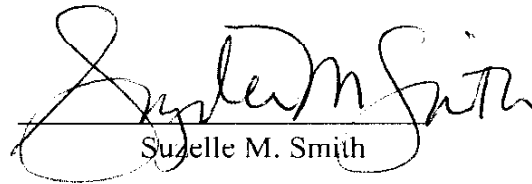
3. I am not presently nor have I ever been suspended, disbarred, or otherwise

disciplined in any of the courts or jurisdictions where I have been admitted to practice.

4. I hereby consent to be subject to the jurisdiction and rules of the state of New York governing professional conduct.

5. I understand that I am charged with knowing and complying with all applicable local rules.

Date: March 17, 2004



Suzelle M. Smith



THE
STATE BAR
OF CALIFORNIA

180 HOWARD STREET
SAN FRANCISCO, CALIFORNIA 94105-1639
TELEPHONE (415) 538-2000

March 12, 2004

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, SUZELLE MOSS SMITH was admitted to the practice of law in this state by the Supreme Court of California on June 29, 1984; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Waffa N. Salfiti
Senior Administrative Supervisor
Office of Certification



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

SUZELLE MOSS SMITH

was on the 3RD day of JANUARY, 1984

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on March 11, 2004.

GARLAND PINKSTON, JR.

By: _____

Ch. Jackson
Deputy Clerk

STATUS CERTIFICATE

This certifies that

SUZELLE M. SMITH

was admitted to the Bar of the State of Washington on November 12, 1985, has been an active member since admission, and has complied with all requirements of the Washington State Bar Association for payment of licensing fees and attendance at continuing legal education programs.

Dated as of March 10, 2004.



M. Janice Michels
Executive Director

Washington State Bar Association
2101 Fourth Avenue, Suite 400
Seattle, WA 98121-2330
206-443-WSBA

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

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) 03 MDL No. 1570 (RCC)
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)

) **AFFIDAVIT OF ROBERT D.
BRAIN**
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) This document relates to:
) Civil Action No. 1:03-cv-9848 (RCC)
) Civil Action No. 1:03-cv-9849 (RCC)
)

I, ROBERT D. BRAIN, under penalty of perjury, submit this affidavit and state under oath:

1. I am a partner at the firm of Howarth & Smith, attorneys for Plaintiffs in the above-referenced matters. I submit this Affidavit in support of this motion to be admitted *pro hac vice* to practice before this Court and represent Plaintiffs in these matters.

2. I am a member in good standing before the Bar of the State of California, having being admitted to practice before that bar on September 22, 1981. I am an inactive member of the Bar of the District of Columbia. Certificates of standing issued by these Bars are attached hereto.

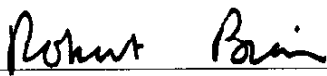
3. I am not presently nor have I ever been suspended, disbarred, or otherwise disciplined in any of the courts or jurisdictions where I have been admitted to practice.

4. I hereby consent to be subject to the jurisdiction and rules of the state of

New York governing professional conduct.

5. I understand that I am charged with knowing and complying with all applicable local rules.

Date: March 17, 2004



Robert D. Brain



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

ROBERT DONALD BRAIN

_____ was on the 6TH day of FEBRUARY, 1981 _____
duly qualified and admitted as an attorney and counselor. This attorney is, on the date indicated below, voluntarily registered as an inactive member in good standing of the District of Columbia Bar and, therefore, is not currently eligible to practice law in the District of Columbia.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on March 11, 2004.

GARLAND PINKSTON, JR., CLERK

By: _____

C. Jackson
Deputy Clerk



THE
STATE BAR
OF CALIFORNIA

180 HOWARD STREET
SAN FRANCISCO, CALIFORNIA 94105-1639
TELEPHONE (415) 538-2000

March 12, 2004

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, ROBERT DONALD BRAIN was admitted to the practice of law in this state by the Supreme Court of California on September 22, 1981; that from the date of admission to January 28, 1994, he was an ACTIVE member of the State Bar of California; that on January 28, 1994, he transferred at his request to the INACTIVE status as of January 1, 1994; that from that date to January 16, 1997, he was an INACTIVE member of the State Bar of California; that on January 16, 1997, he transferred at his request to the ACTIVE status; that he has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Waffa N. Salfiti
Senior Administrative Supervisor
Office of Certification